

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DR. JEFFREY DAVID ISAACS,

Plaintiff,

v.

**TRUSTEES OF DARTMOUTH
COLLEGE, ARIZONA BOARD OF
REGENTS, DR. MARC BERTRAND, DR.
JIM YONG KIM, EDWARD KAPLAN,
NEW HAMPSHIRE BOARD OF
MEDICINE, DR. AMY WAER, MARY
HITCHCOCK MEMORIAL HOSPITAL,
UNIVERSITY OF ARIZONA HEALTH
SCIENCES CENTER, JOHN DOE #1, and
JOHN DOE #2,**

Defendants.

CIVIL ACTION

NO. 13-5708

ORDER

AND NOW, this _____ day of _____, 2014, upon consideration of Defendants Marc Bertrand, Edward Kaplan, and Mary Hitchcock Memorial Hospital's Motion to Dismiss for Lack of Jurisdiction (Doc. 24), Defendants Jim Yong Kim and Trustees of Dartmouth College's Motion to Dismiss for Lack of Jurisdiction (Doc. 25), Defendants Arizona Board of Regents, University of Arizona Health Sciences Center, and Amy Waer's Motion to Dismiss (Doc. 26), Defendant Arizona Board of Regents et al.'s Declaration in Support of Motion to Dismiss (Doc. 27), Defendant Arizona Board of Regents et al.'s First Affidavit in Support of Motion to Dismiss (Doc. 28), Defendant Arizona Board of Regents et al.'s Second Affidavit in Support of Motion to Dismiss (Doc. 29), Defendant Arizona Board of Regents et al.'s Memorandum of Law in Support of Motion to Dismiss (Doc. 30), Plaintiff David Isaacs' Response in Opposition to Motions to Dismiss by Dartmouth Defendants (Doc. 32), Plaintiff Isaacs' Default Entry for Emergency Injunction (Doc. 33), Plaintiff Isaacs' Amendment to Response in Opposition to Motions to Dismiss by Dartmouth Defendants (Doc. 34), Defendant Arizona Board of Regents et

al.'s Response to Plaintiff's Request for Default (Doc. 36), Defendant New Hampshire Board of Medicine's Objection to Application for Default (Doc. 37), Defendant New Hampshire Board of Medicine's Motion to Dismiss (Doc. 42), Plaintiff Isaacs' Response in Opposition to Motion to Dismiss and Request for Appointment of Counsel (Doc. 44), and Plaintiff Isaacs' Addendum to Response to Motion to Dismiss for Lack of Jurisdiction (Doc. 47), and along with affidavits, declarations, and additional filings by the parties, it is hereby **ORDERED AND DECREED** that:

1. This Court lacks personal or subject matter jurisdiction over all of the named Defendants and may not opine on Plaintiff's request for emergency injunction (Doc.33) or Plaintiff's request for appointment of counsel (Doc. 44);
2. Defendants Marc Bertrand, Edward Kaplan, and Mary Hitchcock Memorial Hospital's Motion to Dismiss for Lack of Jurisdiction (Doc. 24) is **GRANTED**;
3. Defendants Jim Yong Kim and Trustees of Dartmouth College's Motion to Dismiss for Lack of Jurisdiction (Doc. 25) is **GRANTED**;
4. Defendants Arizona Board of Regents, University of Arizona Health Sciences Center, and Amy Waer's Motion to Dismiss (Doc. 26) is **GRANTED**; and
5. Defendant New Hampshire Board of Medicine's Motion to Dismiss (Doc. 42) is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ **Petrese Tucker**

Hon. Petrese B. Tucker, C.J.